

Individual Rights of Persons Receiving Services from Department of Mental Health Division of Developmental Disabilities

Individual Rights

1. A person receiving Division services shall be entitled to the following rights without limitation:
 - To be treated with respect and dignity as a human being
 - To have the same legal rights and responsibilities as any other person unless otherwise limited by law;
 - To have the right to due process review when any limitation to rights is proposed or is alleged to have taken place;
 - To receive services regardless of gender, race, creed, marital status, national origin, disability or age
 - To be free from physical, verbal, mental and sexual abuse and neglect;
 - To receive appropriate humane and high quality services and supports as determined by the person's support team, which may include, but not be limited to, the person, parents, guardian or authorized representative
 - To receive these services and supports in the most integrated setting appropriate for the person's particular needs;
 - To have access to Division rules, policies and procedures pertaining to services and supports;
 - To have access to personal records;
 - To have personal records maintained confidentially; and
 - To have services, supports and personal records explained so that they are easily understood.
2. A person receiving services and/or the person's parents, guardian or authorized representative shall be informed of the person's rights in language that is easily understood.
 - At the time of enrollment and whenever changes are made to the description of individual rights, the Division shall provide to the person and/or person and/or the person's parents, guardian or legal representative a written description of the person's rights and how to exercise them.
 - A representative of the Division shall read and explain the description of rights to people who require assistance because they are unable to read or unable to understand the written description
3. If a person receiving services has complaints of abuse, neglect or violation or limitation of rights, the person, the person's parents, guardian or authorized representative may contact the regional center or habilitation center representative, or they may contact the Department's clients rights monitor at 800-364-9687 or TT 573-526-1201 for assistance.
4. The Division shall have policies and procedures that enhance and protect the human, civil and statutory rights of all persons receiving services.
5. The Division and each service provider shall have policies and procedures for providing positive supports to persons receiving services. Those policies and procedures shall be consistent with the enhancement and protection of human rights.
6. The Division shall report abuse and neglect as mandated by law. Any violation of rights shall constitute, at a minimum, inadequate care and treatment.

The following is an explanation of your rights in people first language.

Due Process

- When you apply for services, the regional center or habilitation center must give you, your parents, your guardian, or any other person you choose a written copy of your rights. If any changes in your services are made, you will receive a new copy of your rights.
- Regional centers, habilitation centers and provider agencies that have staff who work with you have rules to provide you good help. They have rules to make sure you learn and understand your rights, and that no one takes your rights away before you have a chance to speak for yourself or have someone you choose speak for you. This is called due process.
- Someone from the regional center or habilitation center will read and explain your rights to you in a way you understand them.
- You have the same legal rights and responsibilities as any other person unless the court says you do not. For example, if you have a guardian, you do not have the same legal rights as people without a guardian.
- You have the right to be treated with respect and dignity as a human being.

Due Process (cont)

- You have the right to get help. You cannot be denied help because of your race, your religion, your disability or your age. It does not matter if you are a man or woman, married or single.
- Before your rights or services can be limited or taken away, you have the right to be heard or to have someone you choose speak for you. This is called due process.

Services and Supports

- You have the right to get your services and supports in the most integrated setting and in a way that best meets your needs. To determine those services, these people may be involved: you, your parents, your guardian or any other person of your choice.
- You have the right to know what the regional center and habilitation center rules are for the services and supports you receive.
- You have the right to have your services, supports and personal records explained to you so you understand them
- You have the right to receive and read your personal records.
- You have the right to receive and sign a copy of your personal plan.
- You have the right to have your records kept private.

Abuse and Neglect

- You have the right not to be abused or neglected. Abuse can be physical, verbal, mental, sexual or financial. Neglect is not getting the things you need to be healthy and safe.
- If you think you are being abused, neglected, or your rights taken away, you, your parents, your guardian, or any other person you choose can contact your regional center or habilitation center for help. You can also call the clients rights monitor in Jefferson City at 1-800-364-9687 or TT: 573-526-1201 for help.
- People who work for the regional center or habilitation center must report any abuse or neglect that they see or that people report to them.

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Consumer												
Staff												

Signatures
